



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSION

TUESDAY, OCTOBER 24, 2006

CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA

COMMISSIONERS

CHAIR ROBERT J. BENICH
VICE-CHAIR ROBERT L. ESCOBAR
COMMISSIONER H. GENO ACEVEDO
COMMISSIONER SUSAN KOEPP-BAKER
COMMISSIONER MIKE R. DAVENPORT
COMMISSIONER RALPH LYLE
COMMISSIONER JOSEPH H. MUELLER

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: September 26, 2006 and October 10, 2006

PUBLIC HEARINGS:

- 1) **GENERAL PLAN AMENDMENT, GPA-05-02/ZONING AMENDMENT, ZA-05-03: TILTON- BARNICK:** A request for approval to change the General Plan land use designation and Zoning designation on an approximate 7.84-acre site from Single Family Low (1-3 du/ac) to Multi-Family Low (5-14 du/ac) and from R1-12,000 and R1-20,000 (Single Family Low Density Residential) to R2-3,500 (Medium Density Residential), respectively. The project site is located on the northwest corner of Tilton Ave. and Monterey Rd. A mitigated Negative Declaration is proposed. (APN 712-09-001)

Recommendation: Reopen Public Hearing/Adopt Resolution recommending City Council denial.

- 2) **USE PERMIT AMENDMENT, UPA-98-08: DEWITT-SONSHIRE SCHOOL/ PRESBYTERIAN CHURCH:** A request for approval to amend a use permit to allow a 3000+ sq. ft. parish hall addition to the Morgan Hill Presbyterian Church located at 16970 DeWitt Ave. The subject site is zoned R-1, 7000 Single Family Medium Density. (APN: 767-02-004).

Recommendation: Open Public Hearing/Adopt Resolution approving request.

- 3) **ANNEXATION, ANX-06-01/ ZONING AMENDMENT, ZA-06-01/ URBAN SERVICE AREA, USA-05-02: EDMUNDSON-OAK MEADOW PLAZA:** A proposed amendment to the Urban Service Area to include 34 acres of land, a proposed amendment to the Zoning Map to pre-zone 19 acres R-1 12,000 RPD and 15 acres Open Space, and the proposed annexation of the 34-acre area. The subject area is located on the west side of Sunset Ave. opposite Denali Dr., Yellowstone Dr., Whitney Way and Bryce Dr. These applications were previously considered by the Planning Commission and City Council earlier this year. The applications were tabled by the City Council with direction given to the applicant to meet with nearby property owners in an effort to resolve property development issues. (APNs 767-19-020, 024 & 028 and 767-15-026)

Recommendation: Open/close public hearing. Adopt resolution recommending City Council approval of Open Space and R-1 12,000 RPD Zoning for the area. Take no action regarding Urban Service Area expansion or Annexation requests, allowing prior Commission resolutions of approval to remain in effect.

PLANNING COMMISSION MEETING AGENDA

SEPTEMBER 26, 2006

PAGE 3

4) REVIEW OF FINAL PROGRAM EIR AND RECOMMENDATION FOR CERTIFICATION AND DETERMINATION OF THE DRAFT AMENDED REDEVELOPMENT PLAN'S CONSISTENCY WITH THE GENEAL PLAN:

- Recommendation:**
- 1) Open Public Hearing;
 - 2) Review responses to Draft Program Environmental Impact Report for the Ojo de Agua Redevelopment Project Amendment and Recommend that the City Council certify the Final Program Environmental Impact Report;
 - 3) Approve the two proposed alternative Detachment Areas, both of which would reduce the existing boundaries of the Ojo de Agua Redevelopment Project Area;
 - 4) Find that the proposed Amendment No. 4 Amending and Restating the Community Development Plan of the Ojo de Agua Community Development Project is consistent with the City of Morgan Hill General Plan; and
 - 5) Find that the proposed Amendment No. 5 to the Community Development Plan of the Ojo de Agua Community Development Project is consistent with the City of Morgan Hill General Plan.

5) POLICY TO ESTABLISH SEPARATE DEVELOPMENT SCHEDULES FOR MONITORING OF MEASURE C PROJECTS, AMENDING DEADLINE DATES AND ESTABLISHING A SUBCOMMITTEE TO REVIEW SCORING FOR IMPACT FEES AND RELATED MATTERS:

- Recommendation:**
1. Amend/adopt the attached policy establishing separate development schedules for monitoring of Measure C projects and amending processing deadline dates for Measure C projects.
 2. Provide direction on related matters as outlined in the staff report.

6) MULTI-FAMILY VACANCY RATE REPORT: Bi-annual review of apartment vacancy rate as required in accordance to the City of Morgan Hill Municipal Code, Chapter 17.36.

- Recommendation:** Accept the vacancy rate survey report for October 2006, with the recommendation to forward the report to the City Council for approval.

7) HOLIDAY MEETING SCHEDULE:

- Recommendation:** Discussion.

TENTATIVE UPCOMING AGENDA ITEMS FOR THE NOVEMBER 14, 2006 MEETING:

- ZAA-81-10: Peak-Taylor Wheeler Planning/Pacific Coast Manor
- ZAA-00-14: Oak Park-Gentile
- ZA-06-15: Monterey-Azar (Marlatt)
- ZA-06-14: City of MH-Text Amendment to Chapter 18.12 and Chapter 18.18 to allow up to 25% multi-family, and 25% single-family detached dwellings in the respective zoning district
- UPA-95-01: W. Third-Cingular

PLANNING COMMISSION MEETING AGENDA

SEPTEMBER 26, 2006

PAGE 4

- ZA-06-03: City of M.H.-Non-Retail Commercial Zoning Text Amendment
- ZA-05-25: City of M.H.-Holiday Lakes Estates

ANNOUNCEMENTS:

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.